

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

JUNE 19, 2014; 5:34 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR BOB STEVENSON, JOYCE BROWN,
TOM DAY AND JOY PETRO**

ABSENT:

JORY FRANCIS AND SCOTT FREITAG

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, TERRY COBURN,
KEVIN WARD, DEAN HUNT, KENT ANDERSEN,
PETER MATSON AND THIEDA WELLMAN**

The meeting was held in the Council Conference Room of the Layton City Center.

Mayor Stevenson opened the meeting and turned the time over to Staff.

AGENDA:

PRESENTATION – FIREWORKS RESTRICTIONS JULY 2014

Kevin Ward, Fire Chief, gave the Mayor and Council a brief update on fireworks restrictions. He said in 2005 there was a total ban of fireworks east of Highway 89; and with the allowance in State Code of aerial fireworks, a partial ban of aerial fireworks was implemented in problem areas west of Highway 89. Kevin said City Code allowed for the Fire Marshall to invoke bans.

Kevin said restrictions would be the same as previous years. He said fires would get worse with the dry climate. Kevin mentioned a recent fire in the Tanglewood area and displayed a map of the proposed restriction areas. Kevin said the map was given to all fireworks retailers. He said retailers were inspected several times a year to verify compliance with Code and to help educate the public. Kevin indicated that two parks on the east side were opened for residents to discharge fireworks.

Council and Staff discussed the City's July 4th fireworks show.

Mayor Stevenson asked what was budgeted for fireworks.

Kevin said \$25,000. He said it was a great show for the money.

Councilmember Brown asked about date restrictions for fireworks.

Kevin said they could be discharged 3 days prior to the holiday and 3 days after, from 11:00 a.m. to 11:00 p.m.; the time was extended to midnight on the 4th and the 24th.

**BID AWARD – ACME CONSTRUCTION INC. – ANTELOPE DRIVE INTERSECTION
IMPROVEMENTS – CHURCH STREET AND OAK FOREST – RESOLUTION 14-38**

Terry Coburn, Public Works Director, said this was a bid award for two roundabouts on Antelope Drive; one at the Church Street intersection and one at the Oak Forest intersection. He said the roundabout at Oak Forest was a little smaller; the one at Church Street would be larger and provide good site view for the intersection. Terry said Acme Construction had good references and their bid was about \$200,000 lower than Parsons.

Mayor Stevenson asked if there were any drawings of the projects; could the drawings be put on the website.

Terry said Staff would get those on the City's website.

Alex Jensen, City Manager, said Woody had received an email from the State indicating that when they bid their section of the Antelope Drive project near the I-15 interchange, the bid came in \$400,000 higher than what they had budgeted. He said the State would delay and rebid the project in a couple of months; they felt that the bid environment would be a little better at that time. Alex said the project would not start as soon as anticipated, but the City would go ahead and build the frontage road portion of the project. He said Staff wasn't happy about this, but if the State moved ahead they would have to take money from the SPUI project on Hill Field Road.

Council and Staff discussed the Antelope Drive/Highway 89 project.

Councilmember Petro asked if the Castle had changed hands and would be demolished.

Kent Andersen, Economic Development Specialist, said yes; a Popeye's Chicken would be going in at that location. He said they had received site plan approval.

MEMORANDUM OF UNDERSTANDING WITH WEBER BASIN WATER CONSERVANCY DISTRICT FOR INSTALLATION OF WATERLINE – RESOLUTION 14-43

Gary Crane, City Attorney, said Weber Basin was laying pipeline under some of the City's street. He said this agreement would require Weber Basin to return the streets to the same or better condition than they were before the project. Gary said there were several streets involved. He said there would be 6,500 linear feet of waterline installed in 25-foot wide trenches. Gary said Weber Basin would not only lay the pipe and compact the trenches the way the City had indicated, but they would also overlay the entire street when they were done. He said Layton would actually bid out those projects to make sure they were done right, but Weber Basin would be paying for it. Gary said the memorandum of understanding set forth those conditions. Gary said they were also paying the City for the easement.

Councilmember Brown said she noticed that the overlay of the streets wouldn't be done until next year. She asked if the streets would be maintained through the winter.

Gary said yes; it allowed for the trenches to settle a little before the overlay was done.

Alex said this was a significant benefit and it was a significant cost to Weber Basin. He said their existing lines ran through side yards and backyards. Alex said the lines were being taken out of yards and put into the roads so that they had better access to the waterlines. He said this was a positive improvement for the City.

FINAL APPROVAL EXTENSION REQUEST – TUSCANY VILLAS PRUD – APPROXIMATELY 1225 EAST GENTILE STREET

Peter Matson, City Planner, said this was for a final approval extension request for the Tuscany Villas PRUD located just east of Bowden Chiropractic on Gentile Street. He said this was well beyond the August 2009 approval. Peter said the plat was amended in 2012 to break the project into phases for better financing opportunities. He said the developer had indicated that he needed additional time as he was looking for an equity partner. Peter said the existing extension went through the end of June and the request was for an additional 1 year extension, which would go through June 25, 2015.

Councilmember Petro asked how many extensions could be granted.

Peter said the Zoning Administrator, which was Bill Wright, could grant one extension; additional extensions had to be approved by the Council. He said there was no limit on the number of extensions that could be granted; this was the third extension granted for this project.

Councilmember Petro asked if there was a way to imply that this would be the last extension; did the City ever take that hard of a stand.

Mayor Stevenson said Councilmember Petro could indicate that this would be the last extension she would support. He said the developer always had the right to request an extension. Mayor Stevenson said if it became controversial that could be a reason to deny an extension, but the developer would be able to start the process over again.

Councilmember Brown said even if the developer started the process over again, the zoning was in place for multi-family development.

Gary said if a developer looked like he was delaying for no good reason, the City would push for development.

Councilmember Brown said the documentation indicated that he was exploring a HUD loan. She said these were supposed to be Class A apartments; would a HUD loan affect that.

Peter said it wouldn't; they wouldn't be income assisted housing. He said many multi-family projects had HUD financing.

ORDINANCE AMENDMENT – TITLE 19 – REGULATIONS SPECIFIC TO SMALL DEALERSHIPS – ORDINANCE 14-08

Peter Matson said this was an ordinance amendment Staff had been working on with the Planning Commission for a few months. He said the Planning Commission asked Staff to look at a way to simplify the approval process for small dealerships or auto sales. Peter said he thought that internet sales had spurred the growth of small dealerships.

Peter said the ordinance proposed to provide definitions for dealerships, which would be similar to Young Chevrolet or Ed Kenley Ford; and small dealerships, which were specialized with a limited number of used or new vehicles. He reviewed other terminology changes to the zoning ordinance to reflect dealerships and small dealerships.

Peter indicated that small dealerships were proposed to be allowed in the CP-3, C-H, M-1 and M-2 zones. He said traditional dealerships would be allowed in these same zones as a conditional use, with one exception. Peter said it was proposed that traditional dealerships be taken out and not permitted in the M-1 zoning district.

Peter said language was added to limit small dealerships to two vehicles to be displayed outside of the building; any additional vehicles associated with the business that were for sale needed to be stored inside of the building. He said if any vehicles were stored outside the building, they had to be in an improved striped parking stall. Peter said signage was to be limited to writing on the vehicle windows; the Planning Commission was concerned about attached sale signs. He said vehicles had to be in working order; vehicle repair was either permitted or a conditional use in those zoning districts. Peter said the discussion at the Planning Commission meeting was that vehicle repair would need to go through the approval process for the zone.

Peter said vehicles stored inside would have to meet Fire Department requirements, which included disconnecting batteries, gas tanks could only be ¼ full, no fueling or de-fueling would be allowed inside the building, and vehicles could not obstruct any ingress or egress to the building.

Peter mentioned some of the dealerships in the City, including two existing uses that would become legal non-conforming uses in an M-1 zone.

MISCELLANEOUS:

Mayor Stevenson indicated that interviews had been done for the Planning Commission. He said he was recommending that Brett Nilsson become a regular member of the Planning Commission and Randy Pulham be appointed as an alternate member. Mayor Stevenson said Tim Pales' term was ending. He said this would come to the Council for approval at the July 17th meeting.

Mayor Stevenson said WinCo would be sending some information about the elevations of their building.

Kent said the City had been going back and forth with them on elevation. He said they would be breaking up the long wall with some design elements. Kent indicated that WinCo had an additional 1 to 2 million dollars of cost on the property for geotechnical issues.

Councilmember Brown asked if they were approached about giving up some of their parking stalls to allow for the widening of Gentile Street.

Mayor Stevenson explained that the location of the Zions Bank building was an issue with adjusting the parking lot layout.

The meeting adjourned at 6:14 p.m.

Thieda Wellman, City Recorder